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LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY

TRANS-TASMAN MUTUAL RECOGNITION ACT 1997

**TRANS-TASMAN MUTUAL RECOGNITION
(TEMPORARY EXEMPTIONS) REGULATIONS**

EXPLANATORY MEMORANDUM

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**KATE CARNELL MLA
CHIEF MINISTER**

EXPLANATORY MEMORANDUM

TRANS-TASMAN MUTUAL RECOGNITION (TEMPORARY EXEMPTIONS)
REGULATIONS

OUTLINE

Section 46 of the Commonwealth *Trans-Tasman Mutual Recognition Act 1997* provides for temporary exemptions. For the purposes of this section, goods or laws are exempt if the goods are of a kind, or the laws are, for the time being declared by or under an Act or regulation of the jurisdiction to be exempt from the operation of this Act.

Any such exemptions have effect only if they are substantially for the purpose of protecting the health and safety of persons in the jurisdiction or preventing, minimising or regulating environmental pollution (including air, water, noise or soil pollution) in the jurisdiction.

Section 8 of the *Trans-Tasman Mutual Recognition Act 1997* (the Act) provides that the Executive may make regulations for the purposes mentioned in section 46 of the Commonwealth Act.

The parties to the Trans-Tasman Mutual Recognition Arrangement have agreed that certain electrical products should be temporarily excluded from the scheme.

SUBSTANTIVE DETAILS

Subregulation 1 specifies the title of the Regulations.

Subregulation 2 provides that this Regulation commences on the day on which section 46 of the Commonwealth *Trans-Tasman Mutual Recognition Act 1997* commences.

Subregulation 3 declares that for the purposes of section 46 of the Commonwealth Act, the *Electricity Act 1971* (ACT) and the Electricity Regulations (ACT) are exempt from the operation of the Commonwealth Act to the extent that they deal with articles of electrical equipment.